

**LEGISLATIVE DIGEST**

[Charter Amendment - Replacing Ranked-Choice Voting for Mayor with Run-Off Elections]

A proposal to amend the Charter of the City and County of San Francisco, at an election to be held on November 6, 2012, by amending Sections 13.101.5, 13.102, 13.107, and Article XVII and by adding Section 13.102.5 to replace ranked-choice voting for Mayor with run-off elections.

**Existing Law**

The City uses ranked-choice voting, also referred to as instant-runoff voting, to elect its Mayor, City Attorney, District Attorney, Public Defender, Sheriff, Assessor-Recorder, Treasurer, and members of the Board of Supervisors. In ranked-choice voting, voters may select up to the three candidates for a single office in order of preference. Under ranked-choice voting, the winning candidate is the one who receives the highest-level of support from the greatest number of voters.

The City's ranked-choice voting system does not employ run-off elections.

Under existing law, any person appointed to temporarily fill a vacancy in the office of Mayor serves until her successor has been elected. An election held to permanently fill a mayoral vacancy is generally consolidated with the next election that takes place at least 120 days after the date of the vacancy.

**Amendments to Current Law**

The proposed Charter amendment would replace the City's ranked-choice voting system for Mayor with a run-off election system.

In the first stage of the election system, all mayoral candidates would participate in a non-partisan primary that would be held the first Tuesday after the second Monday in September. If no candidate receives at least 65% of the votes cast at the non-partisan primary, a further run-off between the two candidates receiving the most votes at the following general municipal election, held on the Tuesday following the first Monday in November. In both the non-partisan primary and the run-off, each voter could vote for only one mayoral candidate.

The proposal provides that in any potential run-offs, voters may not cast votes for write-in candidates for Mayor. The proposal also specifies that ballot measures may not be submitted to the voters at a September non-partisan primary.

With respect to any vacancies in the office of Mayor, this amendment provides that any election held to fill such a vacancy shall be held at the next "non-partisan primary date" – *i.e.*,

the first Tuesday after the second Monday in September – falling more than 120 days after the date of the vacancy.

#### Background Information

On March 5, 2002, the voters approved Proposition A, establishing a ranked-choice voting system to elect the City's Mayor, City Attorney, District Attorney, Public Defender, Sheriff, Assessor-Recorder, Treasurer, and members of the Board of Supervisors. The City first used ranked-choice voting to elect its local officials in November 2004.

Proposition A also eliminated the prior, two-stage voting system for City elective offices. Before November 2004, if a candidate for Mayor, Sheriff, District Attorney, City Attorney, Treasurer, Assessor-Recorder, Public Defender or member of the Board of Supervisors failed to receive a majority of the votes at a general municipal election, the two candidates receiving the most votes would proceed to a runoff election. Any run-off election held for Mayor, Sheriff, District Attorney, City Attorney, Treasurer or member of the Board of Supervisors was held the second Tuesday of December. And any run-off election held for Assessor-Recorder and Public Defender was held at the next general election.